

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FILED  
U.S. DISTRICT COURT

2012 OCT 18 PM 1:03

S.D. OF N.Y.

-----X  
Anat Mizrachi,

Plaintiff,

Civil Action No.: \_\_\_\_\_

v.

JUDGE KARAS

Central Credit Services, Inc.

**COMPLAINT AND DEMAND  
FOR TRIAL BY JURY**

Defendant.  
-----X

12 CV 7783

Plaintiff Anat Mizrachi ("Plaintiff" or "Mizrachi"), by and through her attorneys,  
FREDRICK SCHULMAN & ASSOCIATES, Attorneys at Law, as and for her Complaint  
against the Defendant Central Credit Services, Inc. ("Defendant" or "CCS"), respectfully sets  
forth, complains and alleges, upon information and belief, the following:

**INTRODUCTION/PRELIMINARY STATEMENT**

1. Plaintiff brings this action for damages and declaratory and injunctive relief arising from the Defendant's violation(s) of Sec. 1692 et. seq. of Title 15 of the United States Code, commonly referred to as the Fair Debt Collection Practices Act ("FDCPA").

**PARTIES**

2. Plaintiff is a resident of the State of NY, County of Rockland, residing at 15 Golar Road, Monsey, NY 10952.

3. Defendant is a collection firm with a principal place of business at 9550 Regency Square Blvd, Jacksonville, FL 32225, and, upon information and belief, is licensed to do business in the State of NY.

4. CCS is a “debt collector” as the phrase is defined and used in the FDCPA.

#### **JURISDICTION AND VENUE**

5. The Court has jurisdiction over this matter pursuant to 28 U.S.C. Sec. 1331, as well as 15 U.S.C. Sec. 1692 et. seq. and 28 U.S.C. Sec. 2201. If applicable, the Court also has pendant jurisdiction over any State law claims in this action pursuant to 28 U.S.C. Sec. 1367(a).
6. Venue is proper in this judicial district pursuant to 28 U.S.C. Sec. 1391(b)(2).

#### **FACTUAL ALLEGATIONS**

7. Plaintiff repeats, reiterates and incorporates the allegations contained in paragraphs numbered “1” through “6” herein with the same force and effect as if the same were set forth at length herein.
8. Upon information and belief, on a date better known to the Defendant, the Defendant began collection activities on an alleged consumer debt not belonging to the Plaintiff (“Alleged Debt”).
9. On or about January 31, 2012, Defendant sent Plaintiff a letter in an envelope addressed to Plaintiff (“Exhibit A”). The letter sought to collect an amount of \$19,058.09 from a certain “John C Gill”.
10. Plaintiff does not know this third party. This was never Plaintiff’s debt.
11. Defendant’s attempt to collect a debt not owed by Plaintiff was in violation of the FDCPA, 15 U.S.C. Sec. 1692f(1).
12. As a result of Defendant’s violative debt collection practices, Plaintiff has been damaged.

**FIRST CAUSE OF ACTION**

**(Violations of the FDCPA)**

13. Plaintiff repeats, reiterates and incorporates the allegations contained in paragraphs numbered “1” through “12” herein with the same force and effect as if the same were set forth at length herein.
14. Defendant’s debt collection efforts attempted and/or directed towards the Plaintiff violate various provisions of the FDCPA, including but not limited to 15 U.S.C. Sec. 1692f(1).
15. As a result of Defendant’s violations of the FDCPA, Plaintiff has been damaged and is entitled to damages in accordance with the FDCPA.

**DEMAND FOR TRIAL BY JURY**

16. Plaintiff demands and hereby respectfully requests a trial by jury for all claims and issues in this complaint to which plaintiff is or may be entitled to a jury trial.

**PRAYER FOR RELIEF**


**WHEREFORE**, Plaintiff Anat Mizrachi demands judgment against the Defendant Central Credit Services, Inc. as follows:

- A. For actual damages provided and pursuant to 15 USC Sec. 1692k(a)(1);
- B. For statutory damages provided and pursuant to 15 USC Sec.1692k(2)(A);
- C. For attorneys’ fees and costs provided and pursuant to 15 USC Sec. 1692k(a)(3);
- D. For a declaration that the Defendants’ practices violated the FDCPA; and,

E. For any such other and further relief, as well as further costs, expenses and disbursements of this action, as this Court may deem just and proper.

Dated: New York, New York  
October 16, 2012

Respectfully submitted,

By:   
Aryeh L. Pomerantz, Esq.  
FREDRICK SCHULMAN & ASSOCIATES  
Attorney for Plaintiff  
30 East 29<sup>TH</sup> Street  
New York, New York 10016  
(212) 796-6053  
aryeh@fschulmanlaw.com

**Central Credit Services, Inc.**

A Collection Agency Since 1987

P. O. Box 15118

Jacksonville, FL 32239-5118

1-866-580-4581

7293064:  
JOHN C GILL  
3330 Gertrude St  
Omaha NE 68147-1302

MONDAY-THURSDAY 8AM-9PM, AND  
FRIDAY 8AM-5PM, EASTERN STANDARD TIME

January 31, 2012

**NEW YEARS RESOLUTION**

**Current Creditor:** SALLIE MAE, INC.

**Orig. Creditor:**

**Account:** 9898893861-103

**Balance:** \$19,058.09

Dear JOHN C GILL:

Central Credit Services is determined to help you pay off your outstanding debt and with tax season upon us there is no better time than now. We have designed several different payment plans to fit any budget:

①

As low as  
**\$50 per month**

②

We can help with a reasonable  
payment plan to fit your budget

③

**SETTLEMENT OPPORTUNITY:**

Current economic conditions have created unique opportunities for consumers like yourself to negotiate heavily discounted settlements. All settlement terms will be considered and if approved will significantly reduce the amount needed to satisfy your account. We are serious about assisting you in repaying your account and will put all approved settlement terms in writing

We understand this is not a financial situation you want to be in, so call us now at 1-866-580-4581 to take advantage of these options and start eliminating your debt today.

We are not obligated to renew these offers.

Sincerely,  
Central Credit Services, Inc.

**This communication is from a debt collector. This is an attempt to collect a debt and any information obtained shall be used for that purpose.**

\*\*\* PLEASE DETACH BOTTOM PORTION AND RETURN WITH YOUR PAYMENT TO THE ADDRESS PRINTED BELOW \*\*\*

Date: January 31, 2012

Balance: \$19,058.09

Amount Enclosed: \_\_\_\_\_

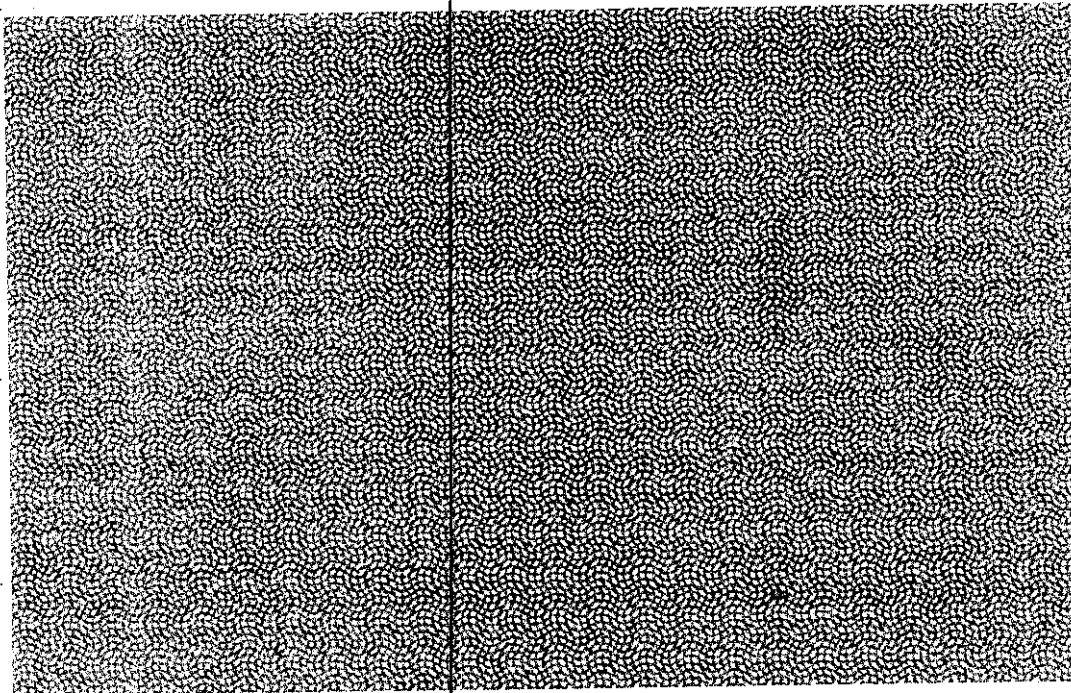
7293064-00400-SAL0003  
JOHN C GILL  
3330 Gertrude St  
Omaha NE 68147-1302

**Central Credit Services, Inc.**  
PO Box 15118  
Jacksonville, FL 32239-5118

Exhibit A p.1

CCS00400.V1  
CCS.LGL.WFD  
964135

1692 x



PO. Box 15118  
Jacksonville, FL 32239-5118

23 49 00004650 964135

FIRST CLASS  
PRESORT  
U.S. POSTAGE  
PAID  
PCI

*Personal & Confidential*



7260626:  
ANAT MIZRACHI  
15 Golar Dr  
Monsey NY 10952-2846

Exhibit A, p.2